

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 97,253-A)

PATENT

In the Application of:

Barendse et al.

Serial No.: 09/089,871

Filing Date: June 4, 1998

For: High-Activity Phytase Compositions



Examiner: Tung

Group Art Unit: 1652

8/a  
S. J. J.  
1/10/00

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated August 31, 1999, which embodies a restriction requirement, please consider the following remarks and enter the following amendments.

**In the Claims**

Please cancel claims 1-17, 29-30 and 36-38, without prejudice to their pursuit in co-pending continuing applications. Please amend the remaining claims as follows:

18. (Amended) A phytase-containing granulate prepared by a process [according to claim 13] comprising processing a solid carrier comprising at least about 15% (w/w) of an edible carbohydrate polymer and an aqueous liquid comprising a phytase at a concentration of at least 14,000 FTU/g.

31. (Amended) A composition comprising:

- (a) a granulate according to claim [19] 18;
- (b) a phytase-containing granulate with an activity of at least about 6,000 FTU/g; or
- (c) both a granulate according to (a) and a phytase-containing granulate according to (b).

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Examiner: P. Tung

Art Unit: 1652

Asst. Commissioner for Patents

Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-identified patent application:

X Amendment and Response to Restriction Requirement

X Petition for Extension of Time

X Check in the amount of \$380.00

X Return Postcard

2. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed for this purpose.

3. CERTIFICATE OF TRANSMISSION UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope address to: Asst. Commissioner for Patents, Washington, DC 20231 on November 29, 1999.

By

Curt J. Whitenack

Reg. No. 36,054